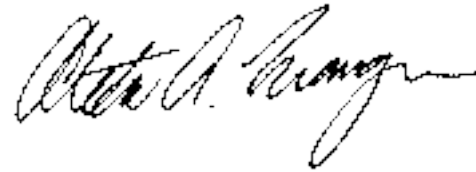


IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION



| | | |
|--------------------------|---|---------------------------|
| UNITED STATES OF AMERICA |) | |
| |) | Case No. 3:09-00220 |
| v. |) | ALETA A. TRAUGER |
| |) | U.S. District Court Judge |
| D'ANGELO HARVEY |) | |

D'ANGELO HARVEY'S MOTION TO RESCHEDULE TRIAL DATE

COMES now the accused, D'ANGELO HARVEY, through counsel, Assistant Federal Public Defender, Isaiah S. Gant, and moves this Honorable Court to enter an order continuing the trial in this matter presently scheduled for Tuesday, October 19, 2010, at 9:00 a.m. In support of the foregoing motion, it is respectfully represented to this Honorable Court the following:

1. By an order entered October 1, 2010, the trial in this matter is scheduled to commence on October 19, 2010, at 9:00 a.m. (D.E. 25)
2. Counsel for Mr. Harvey received notice on August 5, 2010, that oral argument in the matter of U.S. v. Larry Turnley, 09-5498, is scheduled for October 19, 2010, at 1:30 before the Sixth Circuit Court of Appeals, Cincinnati, Ohio. (Notice attached)
3. Consequently, counsel will be unavailable, and therefore, not in a position to proceed to trial in the instant matter on October 19, 2010.